

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 467

September 27, 1995, 10:11 a.m.
Page S-14343 Temp. Record

VA-HUD APPROPRIATIONS/Restraints on the EPA

SUBJECT: Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Bill for fiscal year 1996 . . . H.R. 2099. Baucus amendment No. 2786.

ACTION: AMENDMENT REJECTED, 39-61

SYNOPSIS: As reported, H.R. 2099, the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Bill for (fiscal year) FY 1996, will provide a net of \$80.98 billion in new budget authority, which is \$8.9 billion under the Administration's request, \$1.3 billion more than provided in the House-passed bill, and \$8.9 billion less than provided in FY 1995.

The Baucus amendment would give the Administrator of the Environmental Protection Agency (EPA) total authority to invalidate any prohibition or limitation in this Act on the EPA if she decided that application of the prohibition or limitation would diminish the protection of human health or the environment.

Those favoring the amendment contended:

Americans strongly support laws that protect the public health and the environment. They want clean air; they want clean water; they want to preserve the wilderness. The EPA meets these mandates. The task is not easy. Environmental problems are often complex and difficult to define, much less solve. Also, care must be taken to find the least burdensome means of solving environmental problems. Admittedly, some mistakes have been made, and reforms are in order. The solution is to hold hearings, to consult with all the groups involved, and to use the best science available to arrive at just solutions. The solution is not to attach riders to appropriations bills to restrict the EPA. Unfortunately, the House has taken the latter course on its version of this bill, as has the Senate to a much lesser extent. The House riders are extreme, designed to favor special interests against the wishes of the vast majority of Americans. For instance, one House rider will prohibit the EPA from implementing new rules on stormwater runoff, and another rider will prohibit it from enforcing the wetlands program. This approach does not protect the environment; it blocks

(See other side)

YEAS (39)			NAYS (61)			NOT VOTING (0)	
Republicans (5 or 9%)	Democrats (34 or 74%)		Republicans (49 or 91%)	Democrats (12 or 26%)		Republicans (0)	Democrats (0)
Chafee	Akaka	Kerry	Abraham	Helms	Breaux		
Cohen	Baucus	Kohl	Ashcroft	Hutchison	Byrd		
Jeffords	Biden	Lautenberg	Bennett	Inhofe	Conrad		
Roth	Bingaman	Leahy	Bond	Kassebaum	Dorgan		
Snowe	Boxer	Levin	Brown	Kempthorne	Exon		
	Bradley	Lieberman	Burns	Kyl	Ford		
	Bryan	Mikulski	Campbell	Lott	Heflin		
	Bumpers	Moseley-Braun	Coats	Lugar	Hollings		
	Daschle	Murray	Cochran	Mack	Johnston		
	Dodd	Pell	Coverdell	McCain	Kerrey		
	Feingold	Pryor	Craig	McConnell	Moynihan		
	Feinstein	Reid	D'Amato	Murkowski	Nunn		
	Glenn	Robb	DeWine	Nickles			
	Graham	Rockefeller	Dole	Packwood			
	Harkin	Sarbanes	Domenici	Pressler			
	Inouye	Simon	Faircloth	Santorum			
	Kennedy	Wellstone	Frist	Shelby			
			Gorton	Simpson			
			Gramm	Smith			
			Grams	Specter			
			Grassley	Stevens			
			Gregg	Thomas			
			Hatch	Thompson			
			Hatfield	Thurmond			
				Warner			
						EXPLANATION OF ABSENCE:	
						1—Official Business	
						2—Necessarily Absent	
						3—Illness	
						4—Other	
						SYMBOLS:	
						AY—Announced Yea	
						AN—Announced Nay	
						PY—Paired Yea	
						PN—Paired Nay	

protection. The result of the House riders will be dirtier air, dirtier water, more exposure to toxic pollutants, and less wildlife. This result is not acceptable. Accordingly, we have proposed the Baucus amendment, which would only allow these riders to take effect to the extent that human health and the environment were not threatened. The Baucus amendment would eliminate the harmful effects of any riders that may be on any final version of this bill. We urge our colleagues to vote in favor of this amendment.

Those opposing the amendment contended:

The Baucus amendment is breathtakingly unconstitutional. It would give an unelected Administration official an absolute, total veto over a law passed by Congress and signed by the President. Under this amendment, Congress would pass the law, the President would sign the law, and then, if the EPA did not like the law, it would declare it harmful and thus kill it. Congress would not even have the right to override the EPA's veto. We will not support this reckless abdication of our constitutional responsibilities. We are astounded that our colleagues would make such a proposal, and we emphatically urge its rejection.